



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

DE-9J

MAR 12 2007

Timothy R. Loveland, General Manager
Apex Sanitary Landfill
P.O. Box 157
Amsterdam, Ohio 43903

Re: Off-Site Rule Acceptability Determination
Apex Sanitary Landfill
OH 06-6219

Dear Mr. Loveland:

This letter is in reply to the letter of December 12, 2006 to Mr. William Damico regarding the Apex Sanitary Landfill request for off-site rule acceptability submitted on your behalf by RZI Environmental Management Consultants.

Pursuant to 40 C.F.R. § 300.440 (b), my staff has determined that no relevant violations or releases currently exist at Apex Sanitary Landfill. Therefore, Apex Sanitary Landfill located at 11 County Road 78, Amsterdam, Ohio is acceptable to receive wastewaters from CERCLA sites at the cells which meet the minimum technology requirements for subtitle-D landfills.

The acceptability determination is based on the assumption that only wastes for which Apex Sanitary Landfill is properly permitted will be accepted. It is your responsibility to review any proposed waste streams for compliance with the permits for your facility.

Please note that this determination is based on the available information at the time of the review. Your status could be changed any time relevant information becomes available according to the procedures in 40 C.F.R. § 300.440 (d). Generators who need to use a currently acceptable facility should verify the current acceptability of any facilities they wish to use with the appropriate Regional Off-Site Rule Coordinator(s).

If you have questions, please contact Mr. Damico at (312) 353-8207, United States Environmental Protection Agency, Region 5 – DE-9J, 77 W. Jackson Boulevard, Chicago, Illinois 60604.

Sincerely,

A handwritten signature in cursive script that reads "Joseph M. Boyle". The signature is written in dark ink and is positioned above the printed name and title.

Joseph M. Boyle, Chief
Enforcement and Compliance Assurance Branch
Waste, Pesticides and Toxics Division

cc: Richard W. Zollinger, P.E., RZI Environmental Management Consultants
Mark Maragos, Jefferson County Health Department